IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.281 OF 2007

Shri Balu Ram Rameshwardas Bansal. ...Petitioner.
Versus
1. The State of Maharashtra, &
2. Shri Ravinder Kumar Jain. ...Resondents.

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Mr.Rajiv Kumar, Adv. i/b. M/s. Lord Krishna & Asso. for the Petitioner.
Mr.K.V.Saste, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.
DATED : 27th June, 2007.

P.C.:

1. Heard the learned Advocate for the petitioner and the learned APP for the State.

2. By judgment and order dated 27.4.2007 the petitioner has been convicted under Section 138 of N.I.Act by the learned Special Metropolitan Magistrate, Small Causes Court, Mumbai in CC No.799/SS/2003. By the said judgment and order, the petitioner was sentenced to suffer S.I. for three months and fine of Rs.1,50,000/-. Being aggrieved thereby, the petitioner preferred Criminal Appeal No.278 of 2007 before the Court of Sessions for Greater Bombay. While admitting the Appeal and granting bail to the petitioner, the learned Sessions Judge by order dated 24.5.2007 directed the

petitioner to deposit an amount of Rs.1,50,000/- in the trial Court within six weeks. Being aggrieved thereby, this Revision has been preferred by the petitioner.

3. It is submitted that the learned Sessions Judge ought not to have imposed the condition to deposit the entire amount of Rs.1,50,000/- in the lower Court. It is further submitted that the petitioner has a very good case on merit and hence the condition of depositing Rs.1,50,000/- be deleted. I am not inclined to delete the said condition entirely. However, I am inclined to modify the same.

4. The amount of Rs.1,50,000/- as mentioned by the learned Sessions Judge in its order dated 24.5.2007 is reduced to Rs.75,000/-. The said amount of Rs.75,000/- to be deposited within eight weeks from today. If the said amount of Rs.75,000/- is deposited within eight weeks from today, the learned Sessions Judge shall dispose of the appeal in accordance with law.

5. Revision Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)